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legislation for the protection of the workers, it is scarcely worth consideration if the laws are not enforced. More important than the hasty enactment of additional laws is the adoption of methods of administration that will enforce them," and the concluding chapter of this book is, therefore, devoted to a discussion of the problem of administration. The authors strongly advocate centralized administration under the direction of a commission. This "takes out of the legislature the intricate details of investigation, after the standards have been enacted into law. And, most important of all, it permits the creation of an inferior industrial legislature, composed of the real representatives and leaders of both interests [employers and employees], continually in session under state supervision and working upon those details of administration which, after all, are the actual substance of such legislation as is enforced."

The comprehensiveness of this book, while it precludes extended criticism, is itself responsible for the most conspicuous faults: an arrangement of material which it occasionally seems could have been improved upon and a necessary brevity on some subjects in order adequately to consider others. Thus, for example, the chapter on social insurance is too inclusive; insurance against unemployment could have been better treated in connection with the agencies used to reduce unemployment.

This, after all, is a matter of detail, but the second objection is the more serious. The authors seem to assume that all the measures they consider are advisable and that they should be passed by legislatures. The principles which are discussed by this book, therefore, relate almost exclusively to the content of the statutes and methods of administration. There is no attempt to determine any principles which should guide the legislature in its action. Perhaps the force of this criticism is taken away by an intention on the part of the authors to sketch only the history and details of legislative interference. If this be so, it may be said that the opening chapter of the work on "The Basis of Labor Law" is inadequate, dealing, briefly, almost summarily, with "The Labor Contract," "Individual Rights," and "Due Process of Law." Under these headings it is impossible to give any adequate discussion of the economic or ethical basis for labor legislation.

The book, nevertheless, deserves the highest praise for its comprehensiveness, its authority, and the clearness with which it is written. It is the first of the Harper's Citizens Series, in which will appear "Principles of Constitutional Government," by President Goodnow, and "Principles of American Diplomacy," by Professor John Bassett Moore. If these two volumes maintain the standard of the first, the series will be a valuable contribution to political thought.

LINDSAY ROGERS.

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COMMENTARIES ON THE LAWS OF ENGLAND, by Sir William Blackstone.  
Edited by William Cary Jones. (San Francisco: Bancroft Whitney  
Company, 1915, pp. cxx, 2770.)

In his preparation of the present edition Professor Jones has made very wise and extensive use of the one edited by Professor William G.

Hammond, in 1890, and an ample consideration of this work makes necessary a glance at the earlier one. Hammond's Blackstone was so complete a departure from those which had preceded it that upon its appearance it was said that "there remains nothing in common between the new and the old editions but the text and the original notes of Blackstone." The new matter which was added by Professor Hammond consisted of two classes of material: first, brief footnotes giving the various readings of the text in the several editions, and references to the American cases in which Blackstone had been cited up to 1890; and, secondly, commentaries or essays upon the text, explanatory, critical, and historical, these being appended at the end of the several chapters or sections. But the respect in which it differed most radically from the older editions was not so much in the character of notes included, as in the changed view taken of the proper use of the Commentaries for educational purposes, and consequently the different end to which it was sought to adapt them. In the United States up to that time they had been used as an introduction to or institute of the existing law, but since then it has been realized more and more that such was not their proper function. There can be no doubt, however, that in any rational scheme of legal education a study of the old law as presented in the Commentaries is, at least to some extent, indispensable. It was for this purpose that the Hammond edition was so admirably adapted, and the Jones edition is probably of even greater use in this connection, though it might not be of so great value to the special student of Blackstone, or to the collector of Blackstone literature.

The text used by Professor Jones is the same as was used by Professor Hammond, it being that of the eighth edition, which was published at Oxford in 1778 and was the last to appear during the author's lifetime. With meticulous care Professor Hammond collated the text of this eighth edition with that of all the preceding ones, as well as with the ninth, which was edited by Burn and appeared three years after the commentator's death. In the edition of 1890 all the variations from one edition to another were carefully indicated and the present editor had the advantage of this painstaking and scholarly labor, but in an edition not intended for the special student he has very wisely omitted the minor verbal and unimportant changes, leaving only those which seemed more significant. There also seemed little reason for retaining in this edition the footnotes indicating the cases in which Blackstone has been cited by the American courts, and therefore Professor Jones has done well to omit them. Of the monographic notes of Professor Hammond a large number have been retained and they will add great value to the edition; but the editor has thought it best not to include those notes of a controversial type in which the attacks of Bentham, Austin, and others were defended against, since "the Commentaries have long since so thoroughly vindicated themselves and now rest so solidly upon their own merits."

In the place of the discarded Hammond notes and to supplement those which are left, Professor Jones has included two classes of notes: first, those prepared by him or by his colleagues in the University of California law faculty, "intended to show important modern modifications

of or innovations on the common law;" and, secondly, notes in the form of "extracts from the writings of acknowledged authorities on the history and theory, as well as the practice, of the law." In the first class of notes, the main outgrowths of the common law and even the most important modern statutory innovations have been treated in a most satisfactory manner. Here are discussed, clearly and concisely, such modern topics of the law as the Right of Privacy, Code Pleading, the Law of Strikes, and Workmen's Compensation Acts. These notes are well done and when properly used will prove valuable in giving the reader an idea of the extent to which the law has changed, but it will be a matter of the keenest regret if anyone attempts to use them as a handbook of existing law; for, as Professor Hammond said, "it is now altogether too late to convert the Commentaries into a digest of the newest law; and the student who uses them for that purpose only will be in danger of losing his time."

The second class of notes is made up of extracts from the works of recognized authorities on law and jurisprudence, and constitutes a unique feature of this edition. As the editor says, "these extracts will be found to speak for themselves." Indeed, it might be said that the mere mention of the names of the authors will vouch for their unusual value, for in the list are found such names as Pollock, Maitland, Holland, Dicey, Thayer, Dillon, Wigmore, Ames, Jenks, and other distinguished legal and juristic writers. It only remains to say that in drawing upon the works of these authors the editor has been fortunate in his selection of extracts and has included enough to serve his purpose, without burdening the work or overshadowing the text.

The excellence of the annotations in this edition causes one almost to doubt whether Professor Dicey after seeing them would still advise the student to read the Commentaries "without the use of note or comment;" though it cannot be doubted that it remains of the highest importance that he "keep in mind that the book describes the English law as it stood toward the end of the eighteenth century," and not as it is today.

Besides the high standard of the notes, other valuable features might be mentioned, such as the very interesting and informing introductory matter, entitled, "Concerning the Commentaries;" the elaborate outline, or table of contents of text and notes, which prefaces each volume; the inclusion of Blackstone's own analysis of the Commentaries, which the editor tells us was first prepared by him as a syllabus for the use of his students at Oxford; the comprehensive index; and finally the attractive mechanical make-up of the books. The work of the great commentator is here presented to the present and future generations of law students and lawyers in a most fitting and appropriate form.

J. S. L.